

Message Text

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ORIGIN L-02

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EUR/WE - MR. MARSH

INR - MR. FITZGERALD

----- 084689

R 181653Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: TECH, FR

SUBJECT: GOF REQUEST FOR SECURITY PROTOCOL WITH RESPECT
TO SALE OF ELECTRONIC EQUIPMENT

1. IN CONNECTION WITH PROPOSED USG PURCHASE OF CERTAIN
ELECTRONIC COMMUNICATIONS SECURITY EQUIPMENT OF FRENCH
MANUFACTURE FROM US COMPANY, THOMSON-CSF, INC., WE HAVE
BEEN INFORMED BY COMPANY THAT BEFORE PURCHASE ORDER IS
FINALIZED SO-CALLED QUOTE SECURITY PROTOCOL UNQUOTE MUST
BE SIGNED ON BEHALF USG. THOMSON-CSF SAYS THIS IS
REQUIRED BY GOF AS PRECONDITION TO EXPORT OF EQUIPMENT TO
US, APPARENTLY BECAUSE TECHNICAL INSTRUCTIONS RELATIVE TO
EQUIPMENT IN QUESTION ENTAIL MATERIAL CLASSIFIED BY GOF.

2. COPY OF QUOTE PROTOCOL UNQUOTE FURNISHED BY THOMSON-
CSF BEARS TITLE (INFORMAL TRANSLATION) QUOTE SECURITY
PROTOCOL BETWEEN (BLANK) AND FRANCE UNQUOTE. PREAMBULAR
PARAGRAPH STATES QUOTE THIS PROTOCOL CONSISTS OF THE JOINT
SECURITY REGULATIONS CONCLUDED ON (DATE) BETWEEN THE
GOVERNMENT OF THE UNITED STATES OF AMERICA AND FRANCE

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.... THE GOVERNMENTAL AUTHORITY RESPONSIBLE FOR SECURITY

WITHIN THE FRAMEWORK OF THIS COLLABORATION IS: FOR THE USA (BLANK); FOR FRANCE: PRIME MINISTER, SECRETARIAT GENERAL OF THE GOVERNMENT UNQUOTE. SUBSTANTIVE PROVISIONS PROVIDE FOR RECOGNITION OF USG TITLE TO EQUIPMENT AND THAT

QUOTE AMERICAN AUTHORITIES UNQUOTE MAY NOT TRANSFER TITLE OR POSSESSION TO ANYONE QUOTE NOT ANSWERABLE TO THE AMERICAN GOVERNMENT, AND MAY NOT REVEAL TO OR PERMIT USE BY, THIRD PARTIES OF TECHNICAL INFORMATION COVERED BY PROTOCOL WITHOUT WRITTEN AUTHORIZATION FROM FRENCH AUTHORITIES. ORIGINAL FRENCH TEXT TYPED ON PAPER BEARING QUOTE REPUBLIQUE FRANCAISE/SECRETARIAT GENERAL DU GOUVERNEMENT UNQUOTE LETTERHEAD. IT IS LABELED QUOTE PROJET UNQUOTE (DRAFT).

3. THIS PROPOSED QUOTE SECURITY PROTOCOL UNQUOTE AND REQUIREMENT THEREFOR IS COMPLETELY UNFAMILIAR TO US. MOREOVER, PROCEDURE WHEREBY TEXT OF AGREEMENT TO BE SIGNED BY U.S. QUOTE GOVERNMENTAL AUTHORITY UNQUOTE IS PROVIDED TO US THROUGH PRIVATE FIRM IS CURIOUS. WHILE WE HAVE NO PROBLEM WITH SUBSTANCE OF PROTOCOL, WE ARE NOT PREPARED TO CONCUR IN ITS SIGNATURE IN ABSENCE FURTHER INFORMATION CONCERNING IT. USG DESIRES TO ACQUIRE EQUIPMENT IN QUESTION SOONEST BUT UNABLE TO DO SO BEFORE THIS QUESTION IS RESOLVED.

4. ACCORDINGLY, REQUEST EMBASSY OBTAIN CLARIFICATION FROM GOF REGARDING ITS SECURITY REQUIREMENTS IN CASES OF COMMERCIAL SALE TO ANOTHER FRIENDLY GOVERNMENT OF MATERIAL OR DATA INVOLVING INFORMATION CLASSIFIED BY GOF. EMBASSY SHOULD STRESS THAT WHILE WE HAVE NO PROBLEM WITH SUBSTANCE OF REQUIREMENTS SET FORTH IN ABOVE-DESCRIBED DRAFT QUOTE SECURITY PROTOCOL UNQUOTE, WE WOULD PREFER (AND FROM STANDPOINT OF USG INTERNAL REQUIREMENTS IT WOULD BE MUCH SIMPLER) IF SOME FORMAT OTHER THAN THAT WHICH ON ITS FACE APPEARS TO BE INTERNATIONAL AGREEMENT WOULD SUFFICE. TO THIS END WE WOULD BE PREPARED TO PROVIDE WRITTEN ASSURANCES FROM APPROPRIATE AUTHORITY IN PURCHASING AGENCY TO EFFECT THAT ANY GOF CLASSIFIED INFORMATION PROVIDED IN LIMITED OFFICIAL USE

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CONNECTION WITH THIS EQUIPMENT WOULD NOT BE RELEASED OUTSIDE USG WITHOUT GOF PERMISSION AND WOULD RECEIVE LEVEL OF PROTECTION EQUIVALENT TO THAT ACCORDED USG CLASSIFIED MATERIAL OF COMPARABLE SENSITIVITY. APPRECIATE EMBASSY RESPONSE SOONEST. KISSINGER

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